

### **REMARKS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3-6, 8 and 10 are currently being prosecuted. Claims 2, 9, 11, 13 and 14 have been cancelled. Claims 7, 12, and 15 have been withdrawn from consideration. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

### **ENTRY OF AMENDMENT**

It is respectfully requested that the present amendment should be entered into the official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. Alternatively, if the Examiner does not agree that the application is in condition for allowance, it is respectfully requested that the present amendment should be entered for the purpose of appeal. The present amendments merely incorporate limitations from the dependent claims into the corresponding independent claims from which they depend. Accordingly, the number of claims has been reduced, and no new issues are presented. Accordingly, entry of this amendment is considered appropriate.

**REJECTION UNDER 35 U.S.C. § 103**

Claims 1 and 10 stand rejected under 35 U.S.C. § 103 as being obvious over Rhoads (U.S. Patent No. 1,524,150) in view of Jackson (U.S. Patent No. 3,732,745). This rejection is respectfully traversed.

By way of the present amendment, Applicants have added the limitations of claim 2 to independent claim 1 and the limitations of claim 11 to independent claim 10. In view of this, Applicants submit that this rejection is overcome since the Examiner did not apply this rejection to dependent claims 2 and 11.

Claims 2 to 6, 8, 9, 11, 13 and 14 stand rejected under 35 U.S.C. § 103 as being obvious over Rhoads in view of Jackson and further in view of Woodgate (British Patent 138,803). This rejection is respectfully traversed.

Since the limitations of claims 2 and 11 have been added to claims 1 and 10, respectively, the independent claims will be considered in regard to this rejection instead. It is further noted that claims 2, 9, 11, 13 and 14 have been cancelled, rendering this part of the rejection moot.

Claim 1 describes a valve system for an engine having a combination of elements, including a plurality of intake and exhaust valves, a plurality of valve camshafts including at least one intake valve camshaft and at least one exhaust valve camshaft, the camshafts being fixed to driven gears and being driven through idle reduction gears, a plurality of valve operating members and a plurality of oscillating arms.

Applicants submit that claim 1 is not obvious over the combination of Rhoads, Jackson and Woodgate. Applicants submit that the combination of three references would not be obvious to one having ordinary skill in the art. Applicants submit that the Examiner has not provided motivation why one skilled in the art would combine the features of these three references either.

The primary reference, Rhoads, shows a v-shaped engine having a single camshaft. The Woodgate reference shows a different arrangement of cylinders opposite to each other and having two camshafts. The Examiner relies on the Jackson reference to show a gearing arrangement between a crankshaft and a camshaft.

Claim 1 specifically includes a plurality of valve camshafts including at least one intake camshaft and one exhaust camshaft. The Rhoads reference teaches only a single camshaft. The Examiner has not stated why it would be obvious for the Rhoads reference to have a plurality of camshafts, and has not even alleged that this would be obvious. While the Woodgate reference shows two camshafts, the Examiner has not relied upon this reference to teach this feature. Furthermore, the Examiner has not explained why it would be obvious to one skilled in the art to include a second camshaft in the Rhoads reference. Likewise, the Examiner has not provided any motivation of why one skilled in the art should combine the two features of Rhoads and Woodgate together.

Applicants further submit that the combination of these two references and the Jackson reference would not be obvious. The three references all relate to different systems. In some cases, the different systems are not compatible, such as the Rhoads

reference having only a single camshaft while the Woodgate reference has a pair of camshafts. There is no reason why one skilled in the art would pick this combination of features from different references to form a single device. Further, it is noted that both the Woodgate and Rhoads devices are over eighty (80) years old. If it were obvious for one skilled in the art to combine the features into a single device, Applicants submit that it would have occurred by now. In view of all this, Applicants submit that claim 1 would not be obvious over the three-way combination of references.

Claims 3 through 6 and 8 depend from claim 1 and as such are also considered to be allowable. In addition, each of these claims cite other features of the system which make them additionally allowable. Thus, these claims recite the arrangement of the camshafts, the presence of the oscillating arms, the type of engine and the presence of the valve springs. Accordingly, these claims are believed to be in condition for allowance.

Claim 10 likewise describes a valve system having a combination of elements including a plurality of intake and exhaust valves which are energized in a closing direction by a plurality of valve springs, a single valve camshaft where the camshaft is driven from the crankshaft by idle reduction gears, a plurality of valve-operating members and a plurality of oscillating arms. Applicants submit that this combination of elements is not obvious over the three-way combination of references suggested by the Examiner. As discussed above in regard to claim 1, Applicants submit that there is no motivation for one skilled in the art to make this combination. Further, the systems of the different references have many differences so that combining the different features of the systems cannot be

simple nor obvious. In some cases, the features are contradictory, such as the presence of a single camshaft in Rhoads and a dual camshaft in Woodgate. Accordingly, Applicants submit that claim 10 would not be obvious over this combination of references. Applicants also submit that the Examiner has not provided motivation for one skilled in the art to make such a combination. Accordingly, Applicants submit that claim 10 is allowable thereover.

**NO PROSECUTION HISTORY ESTOPPEL**

Claims 1 and 10 are hereby presented in independent form. No prosecution history estoppel would apply to the interpretation of the limitations set forth in claims 1 and 10 and the claims that depend therefrom in view of the fact that this subject matter has been continuously presented since the original filing date of the present application.

**CONCLUSION**

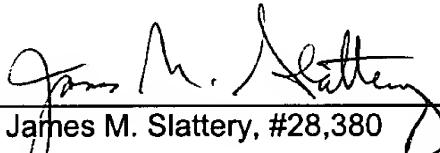
In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejections, and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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